

REMARKS

The Office Action mailed April 20, 2006 has been reviewed and carefully considered. The Examiner's indication, in the final Office Action of November 18, 2005, of allowable subject matter for claim 16 is appreciated. Claims 2-6, 8-13 and 15-20 remain pending, the independent claims remaining 3, 8 and 16. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 2, 3, 8-10, 15, 16 and 20 stand rejected under 35 U.S.C. 102(a) as anticipated by European Patent Application EP 1 319 967 A1 (i.e., application number 01440418.0) to Alcatel inventor Lazaro Villa ("Villa").

Villa has a publication date of June 18, 2003. The instant patent application has an effective U.S. filing date of September 18, 2002 (see May 10, 2005 reply to Office Action, specifically the affidavit under 37 CFR 1.131). Accordingly, the effective filing date of the instant patent application precedes the publication date of Villa. The Office Action erroneously cites to the date an administrator certified a copy of Villa, i.e., July 23, 2002, but it is unclear what relevance the certification date has to patentability.

A document similar to Villa is the previously cited U.S. Patent Publication No. 2003/0123799 to Villa ("Villa 2"). However, Villa 2 was filed in the United States on December 10, 2002; accordingly, the effective U.S. filing date of the

instant patent application, i.e., September 18, 2002, precedes the U.S. filing date of Villa 2 as well.

It follows, from the above discussion, that neither Villa nor Villa 2 qualifies as prior art as to the instant claims, and that the instant ground of rejection is invalid.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 6, 13 and 19 stand rejected under 35 U.S.C. 103(a) as unpatentable over Villa.

Claims 4, 11 and 17 stand rejected under 35 U.S.C. 103(a) as unpatentable over Villa in view of U.S. Patent No. 4,812,012 to U.S. Patent No. 4,812,012 to Terada et al. ("Terada").

Claims 5, 12 and 18 stand rejected under 35 U.S.C. 103(a) as unpatentable over Villa in view of U.S. Patent Publication No. 2003/0021567 to Yoneda.

The above three grounds of rejection are invalid, for at least the reasons set forth above with regard to the anticipation rejection.

Reconsideration and withdrawal of the rejection is respectfully requested.

Amendment
Serial No. 10/625,161

Docket No. 5000-1-414

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application. If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

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